

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

M/s Shri Vedmata Gayatri Trust
Gayatri Teerth, Shantikunj
Haridwar, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (Urban)
Uttarakhand Power Corporation Ltd.
Haridwar, Uttarakhand

Representation No. 01/2015

Order

The petitioner Shri Vedmata Gayatri Trust approached the Ombudsman with a petition dated 16.12.2014 which was subsequently revised and resubmitted on 29.01.2015, against the order of the Consumer Grievance Redressal Forum, Garhwal zone (hereinafter referred to as Forum) dated 03.11.2014 in their complaint against the Uttarakhand Power Corporation Ltd. (hereinafter referred to as respondent).

2. In the petition it is mentioned that the trust runs an Ashram where 15000-50000 people visit. Boarding and Lodging is provided to the visitors free of cost. They also have different training courses from 5 days to 3 months for which people stay at the Ashram. For the purpose of providing all facilities to the visitors, the Ashram has 3 HT connections of 250, 155 and 150 KW. During hearing it was informed that a fourth connection has also been added. With a view to save electricity and fuel the Trust decided to install a solar system for heating water which is used for cooking and other domestic activities.
3. The petitioner has drawn attention to the provision in the Tariff order issued by the Uttarakhand Electricity Regulatory Commission (hereinafter referred to as UERC) wherein rebate is given for solar water heating system. Stating that the system installed by them, not only heats water for bathing, washing utensils/clothes but is also used for cooking, the petitioner stated that they should be given a rebate under

the provisions of the Tariff order. For this purpose they wrote to the respondent requesting for the rebate. However the Chief Engineer (Commercial) Dehradun refused their request. Subsequent to this the petitioner approached the Forum on 09.01.2014. The Forum in their order (dated 03.11.2014 conveyed to the petitioner vide letter dated 07.11.2014), did not agree with the contention of the petitioner and stated that as they were using the system setup in their premises for cooking and the tariff provided rebate for water heaters, the rebate could not be extended to them.

4. Aggrieved by this order the petitioner approached the Ombudsman with the prayer that solar water heater only heats water whereas the system installed by them is far superior to the solar water heater. Due to advanced technology, the system installed by them heats water and can also be used for cooking food. Stating that the provision for rebate for solar water heaters in the tariff has been made with a view to encourage use of solar energy, the petitioner claims that they should also be given the rebate as they are using solar energy for heating water as well as cooking.
5. The Forum in their order have stated that after hearing both sides, they agreed with the stand taken by the Chief Engineer that the rebate could not be given to the petitioner as it did not fall within the parameters of the tariff provisions not being a solar water heating system. Hence the Forum held that the rebate could not be given to the petitioner and they dismissed the complaint.
6. The respondent in their statement have maintained that the petitioner had got installed a solar steam cooking system for cooking purposes and not a solar water heater, for which only rebate is admissible under the Tariff order. In fact the respondent maintained that the rebate is exclusively meant for solar water heater for heating water and the system is not to be used for cooking. The respondent maintained that it was wrong to allege that the petitioner was using the solar system for heating water and using the heated water for bathing, washing clothes as well as processing of food etc. The respondent has stated that the solar steam cooking system is not meant to be used as a solar water heater, the purpose and use of this system is entirely different and hence the system cannot be given the rebate provided in the tariff for solar water heater.
7. Brief facts of the case. The petitioner installed a solar cooking system at their premises at connection no. 1415 (11KV) on 07.05.2010. UREDA in their certificate

have mentioned it as solar steam cooking system. The petitioner applied to the respondent vide his letter dated 31.03.2014 for rebate for using solar power for water heater and gave details of the capacity of the system for heating water. The Executive Engineer wrote back that as per the documents supplied by the petitioner (invoice of the supplier) the system was not related to solar water heater system but solar cooking system and hence the rebate meant for solar water heater systems could not be given for solar cooking system. Subsequently the Executive Engineer requested for clarification from the Chief Engineer (Commercial) who informed vide his letter dated 21.06.2014 that “according to the provisions of Tariff order rebate is admissible on installation of solar water heating system. No rebate is admissible on installation of solar steam cooking system” and advised the Executive Engineer to decide the case as per the provisions of the Tariff order.

8. The order for rebate for solar water heater was first introduced in the Tariff order for 2005-06, by the UERC and has been provided in all subsequent Tariff orders since then. The latest Tariff order for FY 2015-16 issued on April 11, 2015 states:

9. Regulation 8 “**Solar Water Heater rebate-**

If consumer installs and uses solar water heating system, rebate of Rs. 100/- p.m. for each 100 litre capacity of the system or actual bill for that month whichever is lower shall be given subject to the condition that consumer gives an affidavit to the licensee to the effect that he has installed such system, which the licensee shall be free to verify from time to time. If any such claim is found to be false, in addition to punitive legal action that may be taken against such consumer, the licensee will recover the total rebate allowed to the consumer with 100% penalty and debar him from availing such rebate for the next 12 months.”

10. The main question that needs to be decided is whether the system installed by Vedmaata Gayatri Trust falls within the ambit of a solar water heater.

11. The Solar Energy Corporation of India, a Central Government organization, while discussing installation of solar water heating systems has stated “*a solar water heater consists of a collector to trap the heat energy of sun rays by use of selective coating. The heat is transferred to riser pipes or tubes so that water through the tubes gets heated and is delivered to storage tank. The total system with solar collector, storage*

tank and pipelines is called solar water heating system.” Further it adds that “the mission... for encouraging solar thermal application in domestic and industrial segment is... to promote such thermal applications...”.

12. From the above it is seen that the Solar Energy Corporation has merely defined what a solar water heating system is. They have nowhere defined the purpose for which this system is to be used. Similarly the Tariff order only mentions that a rebate is to be allowed for installation and use of solar water heating system but does not mention the purpose for which this heated water is to be used. Hence the contention of the respondent that the tariff provides for rebate for solar water heaters which are exclusively meant for heating water and are not to be used for cooking, is incorrect.
13. In the present case, the petitioner was asked to provide a detailed schematic drawing of the system installed by them. As per this system, large parabolas have been installed to trap the heat energy of the sun which is then transferred to solar heater collectors mounted on a pipeline through which water is passing. This water gets heated and is collected in a storage tank. From this storage tank it is diverted for use as heated water for various purposes and some part of it is further heated for creating steam for using the same for cooking purposes. From the diagram it is clear that the system consists of two stages. The first stage is the solar water heating system whereby water is heated by solar energy and is collected in a storage tank. The second stage of the system is the utilization of this hot water. As per the provisions of the tariff, it is only the first stage with which we are concerned i.e. the solar water heating system.
14. The system installed by the petitioner fulfills the parameters laid down by the Solar Energy Corporation in describing a solar water heater i.e. a collector to trap the heat, heat transferred by pipes so that water in the pipes gets heated and is delivered to a storage tank. As per the certificate given by the Agency which provided the system, Taylormade Solar Solutions an Ahmedabad company, each parabola has a capacity to generate 875 liters of hot water at 60 degrees or 35 KGs of steam. The petitioner has got installed 10 parabolas which together have a total capacity for generating 8750 liters of hot water.
15. Keeping in mind the definition of a solar water heater, it is established that the system installed by the petitioner fulfills the conditions and hence the petitioner is entitled to

a rebate for the installed capacity which is 8750 liters. The respondent is ordered to give the rebate for this amount per month from the date of installation to the petitioner. Order of the Forum is set aside.

Dated: 28.05.2015

(Renuka Muttoo)
Ombudsman